

**RESPONSE UNDER 37 C.F.R. 1.116 -  
EXPEDITED PROCEDURE - EXAMINING GROUP 1638**

Attorney's Docket No. 035718/237005 (5718-118)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Abad *et al.* Confirmation No.: 5409  
 Appl. No.: 10/032,717 Group No.: 1638  
 Filed: October 23, 2001 Examiner: A.R. Kubelik  
 For: GENES ENCODING NOVEL BACILLUS THURINGENSIS PROTEINS WITH  
 PESTICIDAL ACTIVITY AGAINST COLEOPTERANS

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**JUN 01 2004**

June 1, 2004

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 Commissioner for Patents  
 P.O. Box 1450  
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**PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)**

- This is a petition for an extension of time for a total period of one month to respond to the March 1, 2004 Notice of Appeal.
- Applicant is ☐ a small entity; ☒ other than a small entity.
- Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):  

Total Months Requested	Fee For Other Than Small Entity	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$420.00	\$210.00
<input type="checkbox"/> three months	\$950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months*	\$2,010.00	\$1,005.00

\* Cannot be used to exceed six-month statutory limit for response to an Official Action.

- ☐ A check in the amount of \$ is enclosed.  
☒ Charge Deposit Account No. 16-0605 for the extension fee.  
☒ Charge Deposit Account No. 16-0605 for any fee deficiency.

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
16-0605	
FEE CODE	VALUE FURNISHED
1251	110.

Respectfully submitted,

*Leigh W. Thorne*  
 Leigh W. Thorne  
 Registration No. 47,992

Customer No. 29122  
**ALSTON & BIRD LLP**  
 Bank of America Plaza  
 101 South Tryon Street, Suite 4000  
 Charlotte, NC 28280-4000  
 Tel Raleigh Office (919) 862-2200  
 Fax Raleigh Office (919) 862-2260

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at facsimile number 703-872-9306 on the date shown below.

*Lynda Jo Pixley*  
 Lynda Jo Pixley

*June 1, 2004*  
 Date